

Serial No. 10/005,771

RECEIVED
CENTRAL FAX CENTER

Docket No. NG(MS)7266

MAR 16 2007

REMARKS

Claims 1-9 and 11-37 are currently pending in the subject application, and are presently under consideration. Claims 1-9 and 11-37 are rejected. Claims 29-35 have been canceled. Favorable reconsideration of the application is requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 11, 12, 13, 14, 15, 36, and 37 Under 35 U.S.C. §103

Claims 1, 11-15, 36, and 37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over as being unpatentable over U.S. Patent Applicant Publication No. 2001/0055291 to Schweitzer ("Schweitzer") in view of U.S. Patent Publication No. 5,548, 633 to Kujawa ("Kujawa") and further in view of U.S. Patent Publication No. 5,905,736 to Ronen et al. ("Ronen"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Schweitzer taken in view of Kujawa and in further view of Ronen does not teach or suggest storing, at a client system (or a computer system), information related to a time-based bill, as recited in claims 1 and 36-37. In rejecting claims 1 and 36-37, the Examiner contends that Ronen discloses this element of claims 1 and 36-37 (See Office Action, Page 4). Applicant's representative respectfully disagrees. Ronen discloses that billing transactions are handled by an Internet Service Provider ("ISP"), an Internet Access Provider ("IAP") and a transaction server (See Ronen, Abstract). However, Ronen fails to teach or suggest storing, at a client system, (or a computer system) information relating to a time based bill, as recited in claims 1 and 36-37. In claims 1 and 36-37, the same system (the client system, and the computer system, respectively) for which a network interface is determined to be turned off or on, stores information related to a time-based bill. In contrast, Ronen discloses that in response to a chargeable transaction, the ISP transmits an Internet Protocol ("IP") address of a user making the chargeable transaction and the cost associated with the transaction to a billing platform (See Ronen, Col. 2, Lines 13-16). Neither the billing platform nor the ISP disclosed in Ronen corresponds to the client system (or the computer system) recited in claims 1 and 36-37. Accordingly, Schweitzer taken in view of

Serial No. 10/005,771

Docket No. NG(MS)7266

Kujawa and in further view of Ronen fails to teach or suggest the storing recited in claims 1 and 36-37.

Additionally, since Schweitzer taken in view of Kujawa and in further view of Ronen fails to teach or suggest storing information related to a time based bill at the client system (or a computer system), Schweitzer taken in view of Kujawa and in further view of Ronen also fails to teach or suggest transmitting the time based bill from the client system (or a computer system), as recited in claims 1 and 36-37. Instead, as stated above, in Ronen (which the Examiner contends discloses this element of claims 1 and 36-37) the ISP transmits billing information to the billing system. Therefore, Schweitzer taken in view of Kujawa and in further view of Ronen fails to teach or suggest each and every element of claims 1 and 36-37. Thus, claims 1 and 36-37 are not made obvious by the cited art, and claims 1 and 36-37, as well as claims 11-15 depending from claim 1, should be patentable over the cited art.

Additionally, Schweitzer taken in view of Kujawa and in further view of Ronen does not teach or suggest transmitting a disconnect packet from a client to a router device, as recited in claim 12. In rejecting claim 12, the Examiner contends that Schweitzer discloses this element of claim 12 (See Office Action, Page 5). However, on page 17 of the Office Action, in response to previous arguments made by Applicant's representative, the Examiner appears to contradict this statement by contending that transmitting a disconnect packet from a client to a router device is an inherent limitation of Schweitzer. Applicant's representative respectfully submits that transmitting a disconnect packet from a client to a router device, as recited in claim 12, is neither explicitly disclosed, nor inherently disclosed by Schweitzer. As an example, one of ordinary skill in the art would recognize that a system using a time out mechanism would not necessarily transmit a disconnect packet. Therefore, Schweitzer taken in view of Kujawa and in further view of Ronen does not teach or suggest transmission of a disconnect packet from a client to a router, as recited in claim 12. Accordingly, claim 12 is not made obvious by the cited art.

For the reasons described above, claims 1, 11, 12, 13, 14, 15, 36, and 37 should be patentable over the cited art. Accordingly, withdrawal of this rejection is respectfully requested.

RECEIVED
CENTRAL FAX CENTER

Serial No. 10/005,771

MAR 16 2007

Docket No. NG(MS)7266

II. Rejection of Claims 2 and 3 Under 35 U.S.C. §103(a)

Claims 2 and 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Kujawa and Ronen in view of U.S. Patent Publication No. 6,516,416 to Gregg et al. ("Gregg"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claims 2 and 3 depend from claim 1. In rejecting claims 2 and 3, the Examiner has cited Gregg for disclosure of providing a registered subscriber access to protected contents (See Office Action, Page 9, citing Col. 1, Lines 47-67 and Col. 4, Lines 1-5 of Gregg). However, the addition of Gregg does not make up for the aforementioned deficiencies of Schweitzer, Kujawa and Ronen with respect to claim 1, from which claims 2 and 3 depend. Accordingly, claims 2 and 3 are patentable over the cited art.

III. Rejection of Claim 4 Under 35 U.S.C. §103(a)

Claim 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Kujawa, Ronen and Gregg in view of U.S. Patent Application Publication No. 2003/0028884 to Swart et al. ("Swart"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 4 depends from claims 3, 2 and 1. In the rejection of claim 4, the Examiner has cited Swart for disclosing a video file (See Office Action, Page 10, citing the Abstract and Par. [0019] of Swart). However, the addition of Swart does not make up for the aforementioned deficiencies of Schweitzer taken in view of Kujawa, Ronen and Gregg with respect to claims 2 and 3, from which claim 4 depends. Accordingly, claim 4 is patentable over the cited art.

Serial No. 10/005,771

Docket No. NG(MS)7266

IV. Rejection of Claims 5, 6, 8 and 9 Under 35 U.S.C. §103(a)

Claims 5, 6, 8 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Kujawa and Ronen as applied to claim 1, and further in view of U.S. Patent NO. 6,725,229 to Majewski ("Majewski"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claims 5, 6, 8 and 9 depend either directly or indirectly from claim 1. The further addition of Majewski does not make up for the aforementioned deficiencies of Schweitzer taken in view of Kujawa and Ronen with respect to claim 1, from which claims 5, 6, 8 and 9 depend. Accordingly, claims 5, 6, 8 and 9 should be patentable over the cited art.

Additionally, Schweitzer taken in view of Kujawa, Ronen and in further view Majewski fails to teach or suggest launching an application based upon a menu selection, as recited in claim 5. In the rejection of claim 5, the Examiner contends that Majewski discloses this element of claim 5 (See Office Action, Page 11, citing FIGs. 5 and 6 and Col. 10, Lines 22-35 of Majewski). Applicant's representative respectfully disagrees. FIG. 5 of Majewski provides an exemplary flowchart of the functions supported by configuration utility software (See Majewski Col. 9, Line 58 to Col. 10, Line 1). The features described in the cited section of Majewski do not include launching an application. Instead, the features only include configuring a loader application, reviewing daily activity, and canceling an application (See Majewski Figs 5, 6 and Col. 9 Line 57-Col. 10, Line 47). Therefore, the Schweitzer taken in view of Kujawa, Ronen and in further view Majewski does not teach or suggest each and every element of claim 5.

V. Rejection of Claim 7 Under 35 U.S.C. §103(a)

Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Kujawa, Ronen and Majewski as applied to claims 5 and 6, and further in view of Gregg. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 7 depends from claims 6, 5 and 1. In rejecting claim 7, similar to the rejection of claims 2 and 3, the Examiner has cited Gregg for disclosure of providing a registered subscriber

Serial No. 10/005,771

Docket No. NG(MS)7266

access to protected contents (See Office Action, Page 9, citing Col. 1, Lines 47-67 and Col. 4, Lines 1-5 of Gregg). However, the addition of Gregg does not make up for the aforementioned deficiencies of Schweitzer, Kujawa and Ronen with respect to claims 5 and 6, from which claim 7 depends. Accordingly, claim 7 should be patentable over the cited art.

VI. Rejection of Claim 16 Under 35 U.S.C. §103(a)

Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer in view of Gregg and Ronen. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 16 is patentable for reasons similar to claims 1 and 36-37. In particular, for the reasons stated above with respect to claims 1 and 36-37, Schweitzer taken in view of Gregg and in further view of Ronen does not teach or suggest storing information at a client related to a determined amount of time, as recited in claim 16. Accordingly, Schweitzer taken in view of Gregg and in further view of Ronen does not teach or suggest each and every element of claim 16. Thus, claim 16 is not made obvious by Schweitzer taken in view of Gregg and Ronen, and claim 16 should be patentable over the cited art.

VII. Rejection of Claims 17, 18 and 22-27 Under 35 U.S.C. §103(a)

Claims 17, 18 and 22-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Gregg and Ronen as applied to claim 16, and further in view of Kujawa. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claims 17, 18 and 22-27 depend either directly or indirectly from claim 16. The further addition of Kujawa does not make up for the aforementioned deficiencies of Schweitzer taken in view of Gregg and Ronen with respect to claim 16, from which claims 17, 18 and 22-27 depend. Accordingly, claims 17, 18 and 22-27 should be patentable over the cited art.

Additionally, for the reasons above with claim 12, Schweitzer taken in view of Gregg and Ronen, and in further view of Kujawa fails to teach or suggest transmitting a disconnect packet from a client to a router device, as recited in claim 24. Therefore, Schweitzer taken in view of

Serial No. 10/005,771

Docket No. NG(MS)7266

Gregg and Ronen, and in further view of Kujawa does not teach or suggest each and every element of claim 24.

For the reasons described above, claims 17, 18 and 22-27 should be patentable over the cited art. Accordingly, withdrawal of this rejection is respectfully requested.

VIII. Rejection of Claims 19-21 Under 35 U.S.C. §103(a)

Claims 19-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer and Gregg as applied to claim 16 and further in view of Kujawa and Majewski. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claims 19-21 depend from claim 16. The further additions of Kujawa and Majewski do not make up for the aforementioned deficiencies of Schweitzer and Gregg with respect to claim 16, from which claims 19-21 depend. Accordingly, Schweitzer taken in view of Gregg and in further view of Kujawa and Majewski does not make claims 19-21 obvious, and claims 19-21 should be patentable over the cited art.

IX. Rejection of Claims 29-31, 34 and 35 Under 35 U.S.C. §103(a)

Claims 29-31, 34 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer in view of Kujawa, and further in view of Gregg. Claims 29-31, 34 and 35 have been canceled. Accordingly, the rejection of claims 29-31, 34 and 35 is now moot.

X. Rejection of Claim 32 Under 35 U.S.C. §103(a)

Claim 32 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Kujawa and Gregg as applied to claim 29, and further in view of Swart. Claim 32 has been canceled. Accordingly, the rejection of claim 32 is now moot.

Serial No. 10/005,771

Docket No. NG(MS)7266

XI. Rejection of Claim 33 Under 35 U.S.C. §103(a)

Claim 33 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Kujawa and Gregg as applied to claim 29, and further in view of Majewski. Claim 33 has been canceled. Accordingly, the rejection of claim 33 is now moot.

XII. Claim 28

Claim 28 is not rejected by the present (or any previous) Office Action. Accordingly, Applicant's representative assumes that claim 28 would be allowable if rewritten in independent form including all of the elements of claim 16.

RECEIVED
CENTRAL FAX CENTER

Serial No. 10/005,771

Docket No. NG(MS)7266

MAR 16 2007

CONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that the present application is in condition for allowance. Applicant respectfully requests reconsideration of this application and that the application be passed to issue.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

Date

3/16/07

Christopher P. Harris
Registration No. 43,660

CUSTOMER NO.: 26,294

TAROLLI, SUNDHEIM, COVELL, & TUMMINO L.L.P.
1300 EAST NINTH STREET, SUITE 1700
CLEVELAND, OHIO 44114
Phone: (216) 621-2234
Fax: (216) 621-4072

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.